

**PENNINGTON COUNTY BOARD OF COMMISSIONERS  
PROPOSED MEETING AGENDA  
JUNE 21, 2022  
9:00 A.M.  
COMMISSION CHAMBERS  
COUNTY ADMINISTRATION BUILDING**



*Gary Drewes, Chair, District 5  
Lloyd LaCroix, Vice Chair, District 2*

*Ron Rossknecht, District 1  
Deb Hadcock, District 3  
Travis Lasseter, District 4*

**Agenda disclaimer:** The preferred practice of the Board is to proceed thru the agenda in the order it is published. From time to time, agenda items may be disposed of quickly leaving a gap in the meeting agenda prior to the next advertised agenda item start time. To utilize time effectively in those circumstances, the Board may move items up on the agenda to fill those gaps.

*Welcome to the June 21<sup>st</sup>, 2022 Board of Commissioners Meeting.  
Please silence cell phones, pagers and other electronic communication devices.  
Agendas are located at the back of the Chambers.*

1. Call to Order
2. Moment of Silent Reflection
3. Pledge of Allegiance
4. Review and Approve Agenda
5. Recognition of New Employees

The Board of Commissioners uses a **Consent Agenda** to act on non-controversial and routine items. The Consent Agenda is acted upon by one motion and vote of the Board. Items may be removed from the Consent Agenda and placed on the Regular Agenda at the request of a Board member or a Citizen. The consent agenda contains the following items:

6. To approve the renewal of the Retail (on-off sale) Malt Beverage & SD Farm Wine Licenses for The Marina at Sheridan Lake LLC, Sick N Twisted Brewing Co., Sugar Shack and Summer Creek Inn and to release license upon payment of appropriate property taxes (*AUD*)
7. Recognize and thank the volunteers for the month of May 2022 (*HR*)(*Fire Admin*)
8. To approve the S.D. Department of Transportation Railroad Joint Powers Agreement for weed spraying services (*NR*)

**End of Consent Agenda**

**Regular Agenda Items:**

9. Youth City Council Year in Review Presentation
10. Rapid Valley Fire District Board Member appointment – Mr. Don Mitchell, District President

Pennington County fully subscribes to the Americans with Disabilities Act. If you desire to attend this public meeting and need accommodations, please notify the Commissioners' Office at (605) 394-2171 at least 24 hours prior to the meeting so that appropriate services and auxiliary aids are available.



Scan the code to access the agenda packet online.

11. Items From Equalization

a. Abatement Applications

1. Rural American Initiatives, Parcel #68003, Tax Year 2019, \$88,625.66
2. Rural American Initiatives, Parcel #68003, Tax Year 2020, \$119,288.90
3. Rural American Initiatives, Parcel #68003, Tax Year 2021, \$118,178.20
4. Dustan Gilyard, Parcel #65397, Tax Year 2021, \$1,579.18
5. James Cerone, Parcel #59284, Tax Year 2021, \$939.74
6. Foothills Homes Inc., Parcel #8011696, Tax Year 2020, \$673.10

12. Items From Fire Administrator

- a. Scenic Volunteer Fire Department Donation Agreement

13. Items From Highway Department

- a. Award Recommendation One (1) New 2024 Tandem Axle Truck
- b. SDDANR Volkswagen Truck Rebate Program Application
- c. Work Orders for Design Engineering for bridges on Thunderhead Falls Road and Hammerquist Road
- d. Third Reading and Public Hearing of Ordinance 14 Amendment - Criteria for constructing and accepting roads and approaches onto the County Highway System and the County Secondary Highways, hereinafter referred to as "County Roads"

14. Items From Human Resources

- a. Compensation Presentation / County Administration Building Operating Hours

15. Approval of the Vouchers - \$3,251,451.20

16. Items From Public

(A time for the members of the public to discuss or express concerns to the Board of Commissioners on policies and issues affecting County government and its function. Action will not be taken during this item on any issues brought forth that are not properly noticed.)

17. Items From Planning & Zoning – 10:30 a.m.  
**BOARD OF ADJUSTMENT HEARING(S):**

- a. Variance / VA 22-13: Ed and Linda Weber (*Cont. from the 6/10/22 BOC Meeting*)
- b. Variance / VA 22-14: Kevin and Renee Eggebraaten

The Board of Commissioners uses a Consent Agenda to act on non-controversial and routine Planning and Zoning items. The Consent Agenda is acted upon by one motion and vote of the Board. Items may be removed from the Consent Agenda and placed on the Regular Agenda at the request of a Board member or a Citizen. The Consent Agenda for Planning and Zoning contains the following items:

**CONSENT AGENDA:**

- c. Preliminary Plan / PPL 22-27: Eisenbraun Farms, LLC; Tyrel Eisenbraun. To subdivide and create Tract A of Eisenbraun Farms Addition in accordance with Section 500 of the Pennington County Subdivision Regulations. (*Planning Commission recommended to deny without prejudice Preliminary Plan / PPL 22-27*)

- d. Preliminary Plan / PPL 22-25: Russell and Kimberly Johnson; Martin Kost – Surveyor. To subdivide and create Lots 3, 4, and 5 of Storm Hill Subdivision No. 2 in accordance with Section 500 of the Pennington County Subdivision Regulations. *(Planning Commission recommended approval of Preliminary Plan / PPL 22-25 with nine (9) conditions)*
- e. Preliminary Plan / PPL 22-24: Joanie McVey; Jim Peterson - Agent. To subdivide and create Lots 1, 2, 3, 4, and 5 of McVey Valley Subdivision in accordance with Section 500 of the Pennington County Subdivision Regulations. *(Planning Commission recommended approval of Preliminary Plan / PPL 22-24 with six (6) conditions)*
- f. Minor Plat / MPL 22-30: Isaac Almanza; Renner Associates – Agent. To subdivide and create Lot 1 of JV Subdivision and Lot 2R of HES #563 in accordance with Section 400.3 of the Pennington County Subdivision Regulations. *(Planning Commission recommended approval of Minor Plat / MPL 22-30 with five (5) conditions)*

#### **End of Consent Agenda**

#### **Regular Agenda Items:**

#### **UNCONTESTED HEARING(S):**

- g. Road Naming: ELS Properties; Rick Schuelke. To name a 66-foot-wide private access easement providing access to property located in Section 18, T2S, R7E, BHM, Pennington County, South Dakota, to Talon Trail *(Planning Commission recommended approval of the Road Name of Talon Trail)*
- h. Road Naming: Brian Barber. To name an existing 66-foot-wide Public Right-of-Way providing access to properties located in Sections 4, 5, 8 and 9, T2S, R9E, BHM, Pennington County, South Dakota, to Assurance Way. *(Planning Commission recommended approval of the Road Name of Assurance Way)*
- i. Public Hearing of Comprehensive Plan Amendment / CA 22-12: Mary Dietrich; Howe Land Surveying - Agent. To amend the Comprehensive Plan to change the Future Land Use from Ranchette District to Low Density Residential District in accordance with Sections 206, 208, and 508 of the Pennington County Zoning Ordinance. *(Cont. from the 6/10/22 BOC meeting) (Planning Commission recommended approval of Comprehensive Plan Amendment / CA 22-12)*
- j. Public Hearing of Rezone / RZ 22-13: Mary Dietrich; Howe Land Surveying - Agent. To rezone 4.9 acres from Agriculture District to Low Density Residential District in accordance with Sections 205, 208, and 508 of the Pennington County Zoning Ordinance. *(Cont. from the 6/10/22 BOC meeting) (Planning Commission recommended approval of Rezone / RZ 22-13)*
- k. Public Hearing of Rezone / RZ 22-17: Joanie McVey; Jim Peterson - Agent. To rezone 25.072 acres from Agriculture District to Ranchette District in accordance with Sections 205, 206, and 508 of the Pennington County Zoning Ordinance. *(Planning Commission recommended approval of Rezone / RZ 22-17)*
- l. Public Hearing of Rezone / RZ 22-18: Joseph Theberge; Renner Associates - Agent. To rezone 8.171 acres from Agriculture District to Ranchette District in accordance with Sections 205, 206, and 508 of the Pennington County Zoning Ordinance. *(Planning Commission recommended approval of Rezone / RZ 22-18)*

- m. Public Hearing of Rezone / RZ 22-19: Isaac Almanza; Renner Associates – Agent. To rezone 5.059 acres from Agriculture District to Ranchette District in accordance with Sections 205, 206, and 508 of the Pennington County Zoning Ordinance. *(Planning Commission recommended approval of Rezone / RZ 22-19)*

**CONTESTED HEARING(S):**

- n. Conditional Use Permit / CU 22-16: Dawn and Troy Richter. To allow a Recreational Vehicle Park on the subject property in an Agriculture District in accordance with Sections 205, 306, and 510 of the Pennington County Zoning Ordinance. *(Cont. from the 6/10/22 BOC meeting) (Planning Commission recommended approval of Conditional Use Permit / CU 22-16 with eighteen (18) conditions)*
- o. Public Hearing of Planned Unit Development Overlay / PU 22-06: Katie Smirnova and Brett Walfish. To allow a Planned Unit Development Overlay to allow a single-family residence to be used as a summer/winter educational music camp, to allow off-season musical performance concerts each year, to allow shed/cabins to be used for classes and rehearsals, and a Bed and Breakfast on the subject property in accordance with Section 216 of the Pennington County Zoning Ordinance. *(Cont. from the 6/10/22 BOC meeting) (Planning Commission recommended to deny without prejudice Planned Unit Development Overlay / PU 22-06)*
- p. Public Hearing of Ordinance Amendment / OA 22-07: Pennington County. To amend the Subdivision Regulations [to amend and supersede the existing Subdivision Regulations] of the Pennington County Subdivision Regulations. *(Cont. from the 6/10/22 BOC meeting) (Planning Commission recommended approval of Ordinance Amendment / OA 22-07)*

18. Items From Chair/Commission Members

(A time for individual members to bring forth ideas or concerns to the full Board. Official action will not be taken on any items brought forth at this time. Direction may be given to bring items back before the Board for future consideration.)

19. Committee Reports – Scheduled meetings by Commissioner

TL – Planning Commission, RC Library Board of Trustees, Fire Service Board  
LL – Air Quality Board  
GD – Central States Fair Board, MPO Executive Policy Committee  
RR – PC Housing & Redevelopment, MPO Executive Policy, Council on Aging  
DH – No meetings scheduled

20. Executive Session per SDCL 1-25-2

- a. Personnel Issue per SDCL 1-25-2(1)  
- Department Head Annual Review
- b. Contractual/Pending Litigation per SDCL 1-25-2(3)

21. Adjourn